

Tuesday, January 07, 2014

The Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, met in regular session at 9:00 AM.

PRESENT: Supervisors: Frank R. Mecham, Adam Hill, Caren Ray, Debbie Arnold and Acting Chairperson
Bruce S. Gibson

ABSENT: None

THE PLEDGE OF ALLEGIANCE IS LED BY ACTING CHAIRPERSON BRUCE S. GIBSON.

Re-organization:

This is the time set for reorganization of the County Board of Supervisors, election of Chairperson and Vice-Chairperson.

The Board elects Supervisor Bruce S. Gibson as Chairperson and Supervisor Frank R. Mecham as Vice-Chairperson for 2014.

Motion by: Adam Hill
Second by: Frank R. Mecham

| SUPERVISORS | AYES | NOES | ABSTAIN | RECUSE |
|---------------------------------------|------|------|---------|--------|
| Gibson, Bruce S. (Acting Chairperson) | x | | | |
| Mecham, Frank R. (Board Member) | x | | | |
| Hill, Adam (Board Member) | x | | | |
| Ray, Caren (Board Member) | x | | | |
| Arnold, Debbie (Board Member) | | | x | |

The Board adjourns sine die.

PRESENT: Supervisors: Frank R. Mecham, Adam Hill, Caren Ray, Debbie Arnold and Chairperson
Bruce S. Gibson

ABSENT: None

Consent Agenda:

1-18. This is the time set for consideration of the Consent Agenda.

Chairperson Gibson: opens the floor to public comment.

The action taken for Consent Agenda items 1 through 18 on the following vote is indicated for each item.

Motion by: Frank R. Mecham
Second by: Adam Hill

| SUPERVISORS | AYES | NOES | ABSTAIN | RECUSE |
|-------------------------------------|------|------|---------|--------|
| Gibson, Bruce S. (Chairperson) | x | | | |
| Mecham, Frank R. (Vice Chairperson) | x | | | |
| Hill, Adam (Board Member) | x | | | |
| Ray, Caren (Board Member) | x | | | |
| Arnold, Debbie (Board Member) | x | | | |

Consent Agenda - Administrative Office Items:

1.
- Request to approve a twenty (20) month agreement in the total amount of up to \$175,000 with Verdin Marketing Ink/Riester Corporation to provide marketing services on behalf of the Cayucos Local Area of the San Luis Obispo County Tourism Business Improvement District (CBID). District 2.

Ms. Linde Owen: speaks.

The Board approves as recommended by the County Administrative Officer.

2. Submittal of a resolution to ratify an ordinance adopted by the Cayucos Fire Protection District which adopts and amends the 2013 Fire Code. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-1, adopted.

3. Submittal of a resolution to ratify an ordinance adopted by the San Miguel Community Service District which adopts and amends the 2013 Fire Code. District 1.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-2, adopted.

Consent Agenda - Board of Supervisors Items:

4. Request by Supervisor Gibson to reappoint Donna Dawson to the Cayucos-Morro Bay Public Cemetery District. District 2.

The Board approves as recommended by the County Administrative Officer.

5. Request to approve an agreement with the Morro Bay Friends of the Library allocating \$2,000 from District Two Community Project Funds – Fund Center #106 to be used for expenses associated with the remodeling of the Morro Bay Library. District 2.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - County Fire Items:

6. Submittal of a resolution to ratify an ordinance adopted by the Avila Beach Community Services District which adopts and amends the 2013 California Fire Code. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-3, adopted.

7. Submittal of a resolution to ratify an ordinance adopted by the Los Osos Community Services District which adopts and amends the 2013 Fire Code. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-4, adopted.

Consent Agenda - General Services Agency Items:

8. Submittal of a Resolution of Intention to Surplus and Sell County-owned Real Property in the Unincorporated Area of Cambria, setting an auction date of April 8, 2014 to sell two vacant County-owned lots on Cornwall Avenue in Cambria. District 2.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-5, adopted.

9. Request to reject all public bids for the Animal Services Addition and Renovation construction project located at 885 Oklahoma Avenue, San Luis Obispo, CA, and to release all retained bid bonds. District 2.

Ms. Linde Owen: speaks.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Health Agency Items:

10. Request to approve calendar year 2014 renewal contracts (Clerk's File) with Hani Boutros M.D.; Joshua Deane, M.D.; Rose Drago, M.D., David K. Fennell, M.D.; Gayle Gaines, M.D.; Enn Mannard, M.D.; and Victor Perez Preciado, M.D. in the cumulative amount not to exceed \$278,627 to provide medical history, physical, and psychiatric services for Mental Health patients. All Districts.

The Board approves as recommended by the County Administrative Officer.

11. Request to approve a FY 2013-14 renewal contract (Clerk's File) with Psychiatrists Only, LLC in an amount not to exceed \$483,000 to provide locum tenens (temporary) licensed psychiatrist services. All Districts.

The Board approves as recommended by the County Administrative Officer.

12. Request to approve a third amendment to extend the Multi-Year State Agreement for an additional year and provide an incremental increase of \$394,813 (Clerk's File) with the Department of Alcohol and Drug Programs and Department of Health Care Services for years 2010-2014 for substance use disorder services. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Planning & Building Items:

13. Submittal of resolutions approving and accepting an Open-Space Agreement granting an Open Space Easement to the County and an Agreement for Mitigations Limiting and Affecting the Use of Property for Conditional Use Permit DRC2008-00021 with Coastal Christian School. District 3.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NOS. 2014-6 and 2014-7, adopted.

Consent Agenda - Public Works Items:

14. Submittal of right of way documents accepting conveyance from Timothy R. Solipasso, Trustee et al for the Los Osos Wastewater Project, Los Osos. District 2.

Ms. Julie Tacker: speaks.

The Board approves as recommended by the County Administrative Officer.

15. Submittal of resolution for the acceptance of an offer of dedication for a portion of Vista Del Rio, County Road No. 1532, Nipomo. District 4.

The Board approves as recommended by the County Administrative Officer. RESOLUTION NO. 2014-8, adopted.

16. Request to declare the current utility truck (vehicle number E1184) surplus, authorize disposal through public auction and request to amend the FY 2013-14 Fixed Asset List for Fund Center (FC) 405 – Public Works Internal Service Fund (ISF) to replace one utility truck. All Districts.

The Board approves as recommended by the County Administrative Officer.

Consent Agenda - Social Services Items:

17. Request to approve the appointment and reappointment of candidates to the San Luis Obispo Child Care Planning Council. All Districts.

The Board approves as recommended by the County Administrative Officer.

18. Request to approve the appointments of Patty Beck and Marie Chaney to the Homeless Services Oversight Council (HSOC). All Districts.

The Board approves as recommended by the County Administrative Officer.

Presentations:

19. Submittal of a resolution proclaiming January 2014 as "Mentoring Month" in San Luis Obispo County. All Districts.

Ms. Melanie Barket – Court Appointed Special Advocates (CASA) Mentor Program Supervisor; Mr. Ken Frye – Big Brothers Big Sisters; and Mr. Jim Roberts – Family Care Network Chief Executive Officer (CEO): speak.

RESOLUTION NO. 2014-9, a resolution proclaiming January 2014 as “Mentoring Month”, adopted.

Motion by: Adam Hill
Second by: Debbie Arnold

| SUPERVISORS | AYES | NOES | ABSTAIN | RECUSE |
|-------------------------------------|------|------|---------|--------|
| Gibson, Bruce S. (Chairperson) | x | | | |
| Mecham, Frank R. (Vice Chairperson) | x | | | |
| Hill, Adam (Board Member) | x | | | |
| Ray, Caren (Board Member) | x | | | |
| Arnold, Debbie (Board Member) | x | | | |

Public Comment Period:

20. This is the time set for members of the public wishing to address the Board on matters that are not scheduled on the agenda.

Chairperson Gibson: announces that Mesa Dunes Mobile Home Estate Appeal that was originally scheduled for today has been rescheduled to Tuesday, February 4, 2014. Further, states proper notification will be sent.

Ms. Julie Tacker: presents an article titled "U.S. Issues Alert on Bakken Crude" and addresses her concerns regarding how this relates to the Philips 66 Project. Additionally, questions Chairperson Gibson's Conflict of Interest Statement indicating he has stock with Conoco Phillips, with Chairperson Gibson responding.

Ms. Cindy Steinbeck: presents and discusses a graph titled "Semitropic Water Storage District" related to water banking.

Mr. Eric Greening: comments on the previous speakers’ comments regarding water banking; and addresses concerns regarding the Phillips 66 Project.

Dr. C. Hite: presents a video of a neglected patient.

Mr. Ben DiFatta: reviews various issues that have occurred over the last year.

Ms. Linde Owen and Mr. Richard Margetson: address various concerns relating to the Los Osos Wastewater Project (LOWWP). **No action taken.**

Board Business:

21. Request to: 1) adopt a resolution selecting the methodology to be used in determining the amount of Health Realignment Account revenue to be redirected to the State per AB 85; 2) approve contract amendments with the four hospitals in the county and a replacement agreement with Community Health Centers of the Central Coast to continue providing services to medically indigent adults and 3) adopt a policy establishing eligibility criteria for participation in the County Medical Services Program,

all as a result of the implementation of the federal patient protection and Affordable Care Act. All Districts.

Chairperson Gibson: opens the floor to public comment without response.

Mr. Jeff Hamm – Health Agency Director: presents a graph provided to Board Members; addresses a suggested language changes to the policy criteria under Section D.; and amends the amendment to the agreement with French Hospital Medical Center to correct a typographical error to the term ending date.

RESOLUTION NO. 2014-10, adopted, which informs the State Department of Health Care Services of our County’s selection of the “savings formula” option for determining how much of the ’91 Realignment Health Account receipts the state will retain, beginning in FY2014-15. Furthermore, the Board approves and directs the Chairperson to sign amendments to existing agreements with Arroyo Grande Community Hospital, French Hospital Medical Center, Sierra Vista Regional Medical Center and Twin Cities Community Hospital for the provision of hospital services to medically indigent adults, increasing rates of payment and extending the terms through June 30, 2014; approves and directs the Chairperson to sign a replacement agreement with Community Health Centers of the Central Coast for the provision of primary medical care and related ancillary and pharmacy services to medically indigent adults through June 30, 2014.

Motion By: Debbie Arnold
Second By: Caren Ray

| SUPERVISORS | AYES | NOES | ABSTAIN | RECUSE |
|-------------------------------------|------|------|---------|--------|
| Gibson, Bruce S. (Chairperson) | x | | | |
| Mecham, Frank R. (Vice-Chairperson) | x | | | |
| Hill, Adam (Board Member) | x | | | |
| Ray, Caren (Board Member) | x | | | |
| Arnold, Debbie (Board Member) | x | | | |

Board Members: discuss the proposed eligibility criteria; the effective date; and the need for more public awareness, with Mr. Hamm and Mr. Dan Buckshi – County Administrator responding.

The Board defers the effective date of the policy to April 1, 2014; and amends the eligibility criteria as follows: under Section D, medical need, by replacing the second paragraph to read: “Current medical need may include qualified medical services received within the current month of the application date, or if indicated by the circumstances, the first day of the month prior to the month of the application date.”; and by adding a new fourth paragraph to read: “Eligibility period duration will be 3 months for acute injury or illness, or 6 months for qualifying chronic illnesses.” Further, the Board approves, as amended, the policy establishing eligibility criteria for participation in the County Medical Services Program under the new set of parameters resulting from implementation of the federal Patient Protection and Affordable Care Act.

Motion by: Caren Ray
Second by: Frank R. Mecham

| SUPERVISORS | AYES | NOES | ABSTAIN | RECUSE |
|-------------------------------------|------|------|---------|--------|
| Gibson, Bruce S. (Chairperson) | x | | | |
| Mecham, Frank R. (Vice Chairperson) | x | | | |
| Hill, Adam (Board Member) | x | | | |
| Ray, Caren (Board Member) | x | | | |
| Arnold, Debbie (Board Member) | x | | | |

Closed Session Items:

22. The Board announces they will be going into Closed Session regarding:

I. PENDING LITIGATION (Government Code, section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items:

A. Conference with Legal Counsel-Existing Litigation (Government Code, section 54956.9(a).) (Formally initiated) 1. Mountain Cascade, Inc. v. SLO Co. Flood Control & Water Conservation District, et al.; 2. Steinbeck, et al. v. County of San Luis Obispo, et al.; 3. Paso Robles Water Integrity Network v. County of San Luis Obispo, et al.; 4. Coast National Bank v. County of San Luis Obispo.

B. Conference with Legal Counsel-Anticipated Litigation (Government Code, section 54956.9.) 5. Significant exposure to litigation (Government Code, section 54956.9(b).) No. of cases 2. Facts and circumstances not known to potential plaintiff which indicate significant exposure to litigation. 6. Initiation of litigation (Government Code, section 54956.9(c).) No. of cases 2.

II. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator Tami Douglas-Schatz concerning the following: Name of employee organizations are: 7. SLOCPPOA; 8. SLOCEA-Trades and Crafts; 9. DCCA; 10. SLOGAU.

Chairperson Gibson: opens the floor to public comment without response.

Thereafter, pursuant to the requirements of the Brown Act, County Counsel reports out on the items discussed during Closed Session as follows: no report required as no final action was taken and the Board goes into Open Public Session.

On motion duly made and unanimously carried, the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts, does now adjourn.

I, **JULIE L RODEWALD**, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors of the County of San Luis Obispo, and ex-officio clerk of the governing body of all other special assessment and taxing districts for which said Board so acts, do hereby certify that the foregoing is a fair statement of the proceedings of the meeting held Tuesday, January 07, 2014, by the Board of Supervisors of the County of San Luis Obispo, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

JULIE L RODEWALD, County Clerk-Recorder and Ex-Officio Clerk of the Board of Supervisors

By: /s/ Annette Ramirez, Deputy Clerk-Recorder

DATED: January 7, 2014